

AMENDED IN SENATE MAY 28, 2010

AMENDED IN SENATE MAY 26, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 2331

Introduced by Assembly Member Skinner

February 19, 2010

An act to amend Section 3254.5 of the Government Code, relating to firefighters.

LEGISLATIVE COUNSEL'S DIGEST

AB 2331, as amended, Skinner. Firefighters Procedural Bill of Rights Act.

The Firefighters Procedural Bill of Rights Act provides a set of rights and procedural protections to specified firefighters. That act requires an administrative appeal instituted by a firefighter under the act to be conducted in conformance with rules and procedures adopted by the employing department or licensing or certifying agency that are in accordance with specified provisions of the Administrative Procedure Act.

This bill would specify that if that provision is in conflict with grievance arbitration provisions of a memorandum of understanding in effect on—~~and~~ *or* after January 1, 2008, the memorandum of understanding shall be controlling without further legislative action.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 3254.5 of the Government Code is
2 amended to read:

3 3254.5. (a) An administrative appeal instituted by a firefighter
4 under this chapter shall be conducted in conformance with rules
5 and procedures adopted by the employing department or licensing
6 or certifying agency that are in accordance with Chapter 5
7 (commencing with Section 11500) of Part 1 of Division 3 of Title
8 2.

9 (b) If the provisions of this section are in conflict with grievance
10 arbitration provisions of a memorandum of understanding in effect
11 on ~~and~~ or after January 1, 2008, reached pursuant to this division,
12 the memorandum of understanding shall be controlling without
13 further legislative action.